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EXAMINER	
SCHELL, JOSEPH O	
ART UNIT	**PAPER NUMBER**
2114	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/622,952	COLUCCI ET AL.	
	Examiner	Art Unit	
	Joseph Schell	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *15 November 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 4-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

Claims 1-2, and 4-17 have been examined.

Claims 1-2 and 4-17 have been rejected.

Response to Arguments

1. Applicant's arguments with respect to claims 1, 10 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 17 line 3 should probably read "one programmed processor embedded within or connected to the uninterruptible power supply".

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 14 is rejected under 35 U.S.C. second paragraph for being indefinite. Lines 1-2 of Claim 14 state "terminating the procedure upon determining that a step has not been properly performed". As stated in lines 1-2 of parent Claim 10, the procedure is being performed by the user. The method is directed toward "guiding a user through a procedure", and is thus incapable of independently terminating the procedure being performed by the user. This claim should instead clarify that the method includes

"terminating the guiding of the user through performance of a procedure" or "terminating the displaying of steps to the user".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-2, 4-6, and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li (US Patent Application Publication 2004/0078708).

5. As per claim 1, Li ('708) discloses a system for guiding a user through performance of a procedure corresponding to a device associated with the system (connection of a modem, as shown in Figure 5), the system comprising:

at least one stored procedure including a plurality of steps to be performed by a user (as shown in Figure 5, user steps include connecting the PC to a modem (step 44) and connecting the modem to a wall jack (step 50));

at least one sensor providing information regarding the status of the device;

a display for displaying the plurality of steps in order (Figure 5 step 44);

a programmed processor connected to the sensor for determining whether a currently displayed step has been properly performed based upon the information regarding the status of the device from the sensor (Figure 5 step 46); and

the programmed processor including means for displaying one or more additional steps to correct error caused by a step which is not properly performed (paragraph 18).

Li ('708) does not expressly disclose that the addition steps to correct an error caused by a step which is not properly performed is done in response to the programmed processor determining that recovery from the error is possible.

Li ('708) additionally discloses that an objective of system disclosed by Li ('708) is that a user is not guided to further installation steps until the connection steps are performed successfully (paragraph 49) and that the user performing the installation is provided options for "OK," "Finish," "Next," and "Back" (paragraph 37).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the installation guide disclosed by Li ('708) such that the system is capable of assuming that error recovery is possible if the user does not click the "Finish" button and instead proceeds through the installation process. This modification would have been obvious because the "Finish" button is available to the user (paragraph 37), clearly allowing the user to exit the process, and the error display will repeatedly appear until

the user exits if the error is unrecoverable (as shown in Figure 5, the loop of steps 44 to 46 to 48 and back to 44 occurs).

6. As per claim 2, Li ('708) discloses the system of claim 1, wherein the programmed processor includes means for displaying on the display at least one error message when a step is not properly performed (Li ('708) figure 5 step 48).

7. As per claim 4, Li ('708) discloses the system of claim 1, wherein the programmed processor includes means for terminating a procedure when a step has not been properly performed (as shown in Li ('708) figure 5 steps 46, 48, and 50, the connection procedure is halted and an error message is displayed when the system detects that the gateway is not connected).

8. As per claim 5, Li ('708) discloses the system of claim 1, further comprising:

means for displaying all the steps in a procedure (as shown in Figure 5, steps 44 and 50 display all necessary steps on the display device); and

means for returning to a step in the procedure after display of all the steps (as shown in Li ('708) figure 5, after step 54 displays the last step in the connection sequence, if the link is not established, an error message is displayed at step 58, and then the system returns to step 50 where it displays a step).

9. As per claim 6, Li ('708) discloses the system of claim 1, wherein the programmed processor includes means for determining a next step in the procedure based upon the information regarding the status of the device from the sensor (Li ('708) figure 5, step 72 uses the gateway as a sensor to determine connectivity status. Using the information provided by the gateways acknowledgement or lack thereof, the procedure advances to either displaying additional instructions to connect to the wall jack (at step 76) or it displays an error and then displays the connecting instructions again (at steps 74 and 70).

10. As per claim 9, Li ('708) discloses the system of claim 1, wherein the display is part of the device (as the device is only limited to "corresponding" to the user's procedure (lines 1-2 of Claim 1), the computer system of Li ('708) Figures 1 and 3, element 12, can be considered the device. The PC contains a display that performs the displaying of Figure 5, step 44).

11. As per claim 10, Li ('708) discloses a method of guiding a user through performance of a procedure corresponding to a device, the method comprising:

displaying one or more steps of the procedure to the user (Figure 5, element 44);

monitoring the status of the device to determine whether any of the one or more steps has been properly performed by the user (Figure 5, element 46);

displaying a next step of the procedure to the user upon determining that a prior step has been properly performed (Figure 5 element 50); and

displaying one or more additional steps to correct error caused by a step which is not properly performed (paragraph 18), upon determining that recovery from the error is possible.

Li ('708) does not expressly disclose that the addition steps to correct an error caused by a step which is not properly performed is done in response to the programmed processor determining that recovery from the error is possible.

Li ('708) additionally discloses that an objective of system disclosed by Li ('708) is that a user is not guided to further installation steps until the connection steps are performed successfully (paragraph 49) and that the user performing the installation is provided options for "OK," "Finish," "Next," and "Back" (paragraph 37).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the installation guide disclosed by Li ('708) such that the system is capable of assuming that error recovery is possible if the user does not click the "Finish" button and instead proceeds through the installation process. This modification would have been obvious because the "Finish" button is available to the user (paragraph 37), clearly allowing the user to exit the process, and the error display will repeatedly appear until the user exits if the error is unrecoverable (as shown in Figure 5, the loop of steps 44 to 46 to 48 and back to 44 occurs).

12. As per claim 11, Li ('708) discloses the method of claim 10, wherein monitoring includes obtaining information on the status of the device from at least one sensor (Li ('708) figure 5 step 46, the modem is used as a sensor to determine connectivity).

13. As per claim 12, Li ('708) discloses the method of claim 10, further comprising displaying an error message upon determining that a step has not been properly performed (Li ('708) figure 5 step 48).

14. As per claim 13, Li ('708) discloses the method of claim 12, further comprising displaying one or ore correction steps to be performed by the user after the error message (as shown in Li ('708) figure 5, after displaying an error message at step 48, instructions directing the user to connect the PC to the modem are displayed at step 44. This corrects the "disconnected" status error. Also see Li ('708) paragraph 18, wherein detailed remedial instructions are provided to the user).

15. As per claim 14, Li ('708) discloses the method of claim 12, further comprising terminating the procedure upon determining that a step has not been properly performed and upon determining that recovery from error caused by the step not being properly performed is not possible (as described for parent claim 12, the users use of the "Finish" button indicates that an error is unrecoverable. The use of "Finish" terminates the procedure).

16. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li ('708) in view of Wikipedia's Uninterruptible Power Supply (Wikipedia's UPS).

17. As per claim 7, Li ('708) discloses the system of claim 1. Li ('708) does not expressly disclose the system wherein the device is an uninterruptible power supply.

Wikipedia's UPS teaches the general use and benefits of an uninterruptible power supply.

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Li ('708) such that a UPS is included in the modem (thus the modem installation procedure additionally corresponds to the UPS). This modification would have been obvious because a UPS eliminates the effects of a temporary power outage (Wikipedia's UPS, first paragraph).

18. As per claim 16, this claim recites the same limitations as claim 7 and is rejected on the same grounds as claim 7.

19. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li ('708) in view of Installing an Internal Modem.

Li ('708) discloses the system of claim 1. Li ('708) does not expressly disclose the system wherein the system is embedded in the device.

The device, with respect to Li ('708) is the modem (element 22 of Figure 3), while the rest of the system is run within the PC (element 12 of Figure 3).

Installing an Internal Modem discloses that modems are available as external and internal devices (second page, the paragraph under the photo).

At the time of invention it would have been obvious to a person of ordinary skill in the art to have the modem be an internal modem, which would cause the device to be the entire PC, containing the installation system as well. This modification would have been obvious because an internal modem allows the computer to save a port and desk space (Installing an Internal Modem, second page, the paragraph under the photo).

20. Claim 15 us rejected under 35 U.S.C. 103(a) as being unpatentable over Li ('708) in view of Habib (US Patent 5,825,356).

Li ('708) discloses the method of claim 10, further comprising: displaying a next step in the procedure (Figure 5, step 50).

Li ('708) does not expressly disclose the method further comprising displaying a listing of all steps in the procedure, and wherein the displaying of the next step is performed following the display of all the steps.

Habib ('356) teaches a system for guiding a user through a process. Within the system the help program is organized such that an entire list of steps to be performed are displayed for the user (column 6 lines 32-34).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the modem connection system disclosed by Li ('708) such that it includes a help system organized as described by Habib ('356) with a complete listing of steps for the user's perusal prior to performing the steps. This modification would have been obvious because it allows the help to contain more information and for the use to access the help without needing to memorize the steps for which he is accessing the help (Habib ('356) column 1 lines 25-31). It would be obvious to display the help before guiding the user through the process itself because it is well known that a help file is more helpful and applicable before a process is performed, rather than after the completion of the process.

21. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li ('708) in view of Hammond (US Patent Application Publication 2002/0138785).

Li ('708) discloses a system for guiding a user through performance of a procedure corresponding to an device associated with the system (the device is the modem, the connecting of which is the procedure, as shown in Figures 3 and 5), the system comprising:

at least one programmed processor embedded or connected to the device (as shown in Figure 3, the PC is connected to the targeted modem);

at least one sensor embedded or connected to the device providing information regarding the status of the device, the programmed processor and the sensor being operatively coupled such that the programmed processor receives at least a portion of status information from the sensor (as shown in Figure 5, a sensor waits for the reception of a signal from the modem in step 46. This acknowledgement signal from the modem, or lack thereof, is used by the PC's processor (as depicted in Figure 3) to determine whether to display an error (step 48) or to move onto the next step (step 50));

the programmed processor being configured to retrieve at least one stored procedure including a plurality of steps to be performed by a user (as shown in Figure 5, the steps of connecting PC to modem (step 44) and modem to wall (step 50) are displayed to the user);

a display operatively coupled to the device for displaying the plurality of steps in order (as shown in Figure 5 step 44);

the programmed processor being further configured to determine whether a currently displayed step has been properly performed based upon at least one of: (i) the information received from the sensor (as shown in Figure 5, after getting input from a

return signal sensor at step 46, the system uses this acknowledge or lack of acknowledge to determine whether to display the next step (step 50) or display an error (step 48) and (ii) one or more inputs entered by a user into the programmed processor (see paragraph 37, the user is provided options to control the user interface), and to provide one or more additional steps to correct error caused by a step which is not properly performed (as shown in Figure 5, the display displays PC to gateway connecting directions after an error (steps 70 and 74) instead of moving on to display instructions for connecting the gateway to the wall jack (step 76); also see paragraph 18 for additional remedial instructions provided).

Li ('708) does not expressly disclose that the addition steps to correct an error caused by a step which is not properly performed is done in response to the programmed processor determining that recovery from the error is possible.

Li ('708) additionally discloses that an objective of system disclosed by Li ('708) is that a user is not guided to further installation steps until the connection steps are performed successfully (paragraph 49) and that the user performing the installation is provided options for "OK," "Finish," "Next," and "Back" (paragraph 37).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the installation guide disclosed by Li ('708) such that the system is capable of assuming that error recovery is possible if the user does not click the "Finish" button and

instead proceeds through the installation process. This modification would have been obvious because the "Finish" button is available to the user (paragraph 37), clearly allowing the user to exit the process, and the error display will repeatedly appear until the user exits if the error is unrecoverable (as shown in Figure 5, the loop of steps 44 to 46 to 48 and back to 44 occurs).

Li ('708) additionally does not expressly disclose the system wherein the device being monitored is an uninterruptible power supply.

Hammond ('785) teaches a system that performs power supply monitoring (see abstract).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the modem installation guidance system disclosed by Li ('708) such that it monitors the connectivity of a uninterruptible power supply, as taught by Hammond ('785). This modification would have been obvious because it allows for the tracking of UPS downtime (Hammond ('785) paragraph 3) and to immediately determine the UPS status (Hammond ('785) paragraph 7).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Schell whose telephone number is (571) 272-8186. The examiner can normally be reached on Monday through Friday 9AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JS

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SUPERVISORY PATENT EXAMINER